



# **REGULAR MEETING OF THE CITY COUNCIL AND THE CITY COUNCIL SITTING AS THE REDEVELOPMENT AGENCY AND PUBLIC FINANCING AUTHORITY BOARD**

**REGULAR CC/RDA/PFA MEETING  
Council Chambers  
68-700 Avenida Lalo Guerrero  
Cathedral City, CA 92234**

**WEDNESDAY, OCTOBER 27<sup>TH</sup>, 2004**

**Study Session - 3:00 p.m.  
Regular Meeting - 6:30 p.m.  
(Or As Soon Thereafter as the Meeting May be Commenced)**

**Copies of each current agenda will be available in the City Hall Lobby Thursday afternoon prior to the scheduled Council meeting. A copy of the complete agenda book is also available for public review in the City Hall Lobby on that same schedule. If you have any additional questions or need further information on any of the following items, please contact the Deputy City Clerk at 770-0322 between the hours of 7:00 a.m. and 6:00 p.m. Monday through Thursday. PLEASE REMEMBER THAT CITY HALL IS CLOSED EVERY FRIDAY.**

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in a City meeting or other services offered by this City, please contact the City Clerk's Office at (760)-770-0322. Assisted listening devices are available at this meeting. Ask the City Clerk if you desire to use this device. Notification of at least 48 hours prior to the meeting or time when services are needed will assist City staff in assuring that reasonable arrangement can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection at the Office of the City Clerk, during regular business hours 7:00 a.m., to 6:00 p.m., Monday – Thursday.

## **3:00 P.M.- STUDY SESSION**

1. Quarterly report from the Cathedral City Chamber of Commerce relative to the fiscal year 04-05 Economic Development/Business resource program service provider agreement.
2. Quarterly report from the Cathedral City Chamber of Commerce relative to the Fiscal Year 04-05 Community Service Provider Agreement.
3. Review of October 27<sup>th</sup>, 2004 City Council Redevelopment Agency Board agendas.
4. City Council/staff reports and inquiries of new or ongoing projects.
5. Closed session urgency items.

**CC/RDA MEETING:**  
**CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION pursuant to Government Code Section 54956.9, Subd. (b)  
Number of Potential Cases: 13
2. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6  
Agency Negotiator: Donald Bradley, City Manager  
Represented Employees: 1) Cathedral City Firefighters Association (CCFFA); 2) Cathedral City Police Officers' Association (CCPOA); and 3) Cathedral City Public Safety Management Association (CCPSMA);
3. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):  
Case Name: Glenn Haas, Jeff Miller, Brian Hirzel and Cathedral City Police Officers Association vs. Cathedral City; Cathedral City Police Department; Stan Henry, Chief of Police; John Holcomb, Captain; Gregory J. Savelli, Lieutenant; Sandra Hatfield, Dispatch Supervisor, et al.  
Case No.: United States District Court, Central District of California Case No. EDCV 02-965
4. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):  
Case Name: Scott Sharpe, Mark Fields, Rudy Salinas, Jay Horn, Karl Murashima, Owen Krings, Brian Hirzel, Albert Ruiz, Steve Williams, Paul Reindel, Glenn Haas, Nick Chapman, Gabriel Mendoza, Kelly Nava, Danny Anes, Dane Dickson, Mark Novy, Larry San Filipo, Jeremy Herrick, Ernie Vasquez, Tom Ferguson, Jon Enos, John Fox, Andy Diaz, Albert Ochoa, Dewayne Hodge vs. City of Cathedral City, a municipal corporation; Stan Henry, Chief of Police; Captain John Holcomb, Captain Kevin Conner and Lieutenant Al Reshaw in their individual capacity, and DOES 1 through 10, Inclusive  
Case No.: United States District Court, Central District of California Case No. CV 04 02931 (VBKx)[Class Action] Complaint for Damages and Injunctive Relief Demand for Jury Trial

5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Paul Shillcock**)  
Property Location: East of Van Fleet Avenue, South of East Palm Canyon Drive; APN #'s 687-207-005 (Sousa) and 687-223-016 (Sanchez)  
Negotiating Parties: Redevelopment Agency and BCN Developments, Inc.  
Property Owners: Martin Sousa, et al; Jorge & Maria Sanchez  
Under Negotiation: Disposition of Property
6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Paul Shillcock**)  
Property Location: East of the East Cathedral Canyon Storm Channel in Designated Open Space Area. APN #686-310-006; 686-232-034; 686-270-004; and 687-241-056  
Negotiating Parties: Redevelopment Agency and Desert Cove Golf Resorts  
Property Owners: City of Cathedral City and Cathedral City Redevelopment Agency  
Under Negotiation: Disposition of Property
7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8 (**Charlene Sumpter**)  
Property Location: Property boundaries south of I-10, all properties east to the City limits, west to the Date Palm alignment east of Date Palm Drive, north of Tortuga Road alignment, west of the City limits to Rancho Mirage, south of the northern City limits and parcels west of Date Palm Drive, north of I-10, west to City limits and south of Edom Hill Road alignment and or parcels included within spear of influence.  
Negotiating Parties: City of Cathedral City and Proberly International Corp.  
Property Owners: City of Cathedral City  
Under Negotiation: Memorandum of Understanding ( MOU) for disposition of City Property
8. PUBLIC EMPLOYEE EVALUATION pursuant to Government Code Section 54957.  
**Title of Position:** City Manager

### **MINUTES**

Approval/correction of minutes from the regularly scheduled City Council/RDA Board meeting held on Wednesday, October 13<sup>th</sup>, 2004 and minutes from the Downtown Foundation Board meeting held Wednesday, October 13<sup>th</sup>, 2004.

### **SCHOOL REPORTS**

Receive school reports presented by Melissa Torres and Stephanie Price, students from Cathedral City High School.

### **PRESENTATIONS AND PROCLAMATIONS**

- Proclamation declaring the week of November 21-28, 2004 as National Bible Week. (Bud England)
- Certificate of Recognition. (Recipient to be announced at the regularly scheduled meeting) (Council Member Kathy DeRosa)

### **CONSENT AGENDA**

1. Receive and file demands in the aggregate amount of \$ 2,761,970 for the month of September 2004.
2. Accept quarterly report form the Cathedral City Chamber of Commerce relative to the Fiscal Year 04-05 Economic Development/Business resource program service provider agreement. **(Please refer to Study Session portion of this agenda)**
3. Accept quarterly report form the Cathedral City Chamber of Commerce relative to the Fiscal Year 04-05 Community Service Provide Agreement. **(Please refer to Study Session portion of this agenda)**
4. Extension of the term of the lease with Desert Hockey Association for the former Heilig-Meyers Building on East Palm Canyon Drive through February 28<sup>th</sup>, 2005.
5. Authorize staff to revise the fixed asset policy to include infrastructure consistent with GAAP and in compliance with GASB 34.

### **PUBLIC HEARINGS**

6. Joint public hearing of the City Council and Cathedral City Redevelopment Agency to receive evidence and testimony and consider the approval of Disposition and Development Agreement (DDA) by and between the Agency and the City Urban Revitalization Corporation (CURC), relative to the development of the Sheraton Desert Cove Resort Hotel; and any and all other actions related to the Disposition and Development Agreement.
7. Adopt resolution of the Public Financing Authority for the City of Cathedral City, and the Redevelopment Agency Board, approving the issuance of its Senior Hotel Revenue Bonds, Series 2005A (Sheraton Desert Cove Project), Taxable Subordinate Hotel Revenue Bonds, Series 2005B, (Sheraton Desert Cove Project), and Transient Occupancy Tax Revenue Bonds, Series 2005 (Sheraton Desert Cove Project), in the aggregate

## CC/RDA/PFA MEETING

OCTOBER 27<sup>TH</sup>, 2004

Page 5

- principal amount not to exceed \$70,000,000; authorizing the execution and delivery of two trust indentures, a loan agreement and a redevelopment pledge agreement; and authorizing the taking of certain actions in connection therewith.
8. Proposed resolution of the City Council for the City of Cathedral City, adopting a mitigated negative declaration (environmental assessment 04-008) and approving tentative tract map No. 32309; a request to subdivide a single lot with an area 5.09 gross acres into 17 residential lots and one common lot located on McCallum Way west of Peggy Way and south of Elizabeth Road in the R-1 (Single Family Residential) District and Specific Plan 10-015.
  9. Adopt resolution of the City Council for the City of Cathedral City, and the Redevelopment Agency Board, consenting to the Disposition of three properties acquired with affordable housing funds to Jose Portillo, United States (US) One Development, for the purpose of affordable housing and neighborhood improvement. **(Additional agenda documents related to this item are available for public inspection in the Office of the City Clerk prior to the meeting and during meeting)**

### LEGISLATIVE ACTION(S)

10. Authorization to enter into an Owner Participation Agreement (OPA) with Howard Marguelas for the development of a golf course in conjunction with the Sheraton Desert Cove Hotel project.
11. Authorization for staff to execute a service provider agreement with Psomas to provide design engineering assessment formation support as well as plans, specifications and estimates and related services required for the Cove Area Sanitary Sewer and Street Assessment District Project. (AD 2004-02)
12. Authorization for staff to execute a service provider agreement with MVR Consulting to provide project administration, grant management, environmental and public outreach services required for the Assessment District Formation, design, construction, grant applications and grant reimbursement oversight necessary for the Cove Area Sanitary Sewer and Street Assessment District Project. (AD 2004-02)
13. Authorization for staff to execute a service provider agreement with Munifinancial to provide assessment engineering services required for the proposed Cove Area Sanitary Sewer Assessment District Project. (AD 2004-02)
14. Authorization for staff to execute a service provider agreement with Stone and Yongberg, LLC to provide Bond Underwriting Services for the Cove Area the Cove Area Sanitary Sewer and Street Assessment District Project. (AD 2004-02)

## **CC/RDA/PFA MEETING**

**OCTOBER 27<sup>TH</sup>, 2004**

**Page 6**

15. Authorization for staff to execute a service provider agreement with Jones Hall, Inc., to provide Bond Counsel Services required for the Cove Area the Cove Area Sanitary Sewer and Street Assessment District Project. (AD 2004-02)
16. Proposed resolutions of the City Council for the City of Cathedral City, approving the application for grant funds for the Urban Parks and Healthy Communities Program.
17. Adopt resolution of the City Council for the City of Cathedral City, objecting to the public sale of certain tax-defaulted properties and offering to purchase said properties.
18. Approval of agreement between the City of Cathedral City and the Coachella Valley Water District agreement for the purpose of improving the water system in the 35<sup>th</sup> Avenue Assessment District area.
19. Authorization for staff to execute a service provider agreement with T.Y. Lin International to provide design plans, specifications and estimates for the necessary repair work required for the Date Palm Drive Bridge at the Whitewater River.
20. Authorize purchase of a new 2004 Marque Inc., type 3 ambulance with Ford E450SD Chassis and equipment for approximate \$160,000.
21. Request that the City Council sign the formal letter adopting the Local Hazard Mitigation Plan developed by Riverside County.

### **COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS.**

### **ADJOURNMENT**

The next regularly scheduled meeting of the City Council/Redevelopment Agency Board will be held on **Wednesday, November 10<sup>th</sup>, 2004.**

This **Agenda** is also available for viewing on the City's Web Site. The Web Site address is [www.cathedralcity.gov](http://www.cathedralcity.gov)

NOTICE IS HEREBY GIVEN THAT AT THE REGULARLY SCHEDULED CITY COUNCIL MEETING OF OCTOBER 13<sup>TH</sup>, 2004 DURING STUDY SESSION, THE CITY COUNCIL VOTED TO CHANGE THE REGULARLY SCHEDULED CITY COUNCIL MEETING OF WEDNESDAY, NOVEMBER 24<sup>TH</sup>, 2004, TO BE HELD ON MONDAY, NOVEMBER 22<sup>ND</sup>, 2004, DUE TO THE THANKSGIVING HOLIDAY.

**CC/RDA/PFA MEETING**  
**OCTOBER 27<sup>TH</sup>, 2004**  
**Page 7**

I, Daryl Betancur, Deputy City Clerk for the City of Cathedral City and Assistant Secretary to the Redevelopment Agency Board and Assistant Secretary to the Public Financing Authority Board for the City of Cathedral City, California, ***do hereby certify***, under penalty of perjury under the laws of the State of California, that the foregoing notice for this City Council meeting was hand delivered and faxed to each member of the City Council for the City of Cathedral City; posted on the bulletin board outside City Hall; and faxed to the following organizations: all local media, the Cathedral City Chamber of Commerce, and the Cathedral City public library; all on the 21<sup>st</sup> day of October, 2004.

---

Daryl Betancur, Deputy City Clerk  
City of Cathedral City